

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF PUERTO RICO

INSTITUTE OF INNOVATIVE  
MEDICINE, INC.,

Plaintiff,

v.

LABORATORIOS UNIDOS DE  
BIOQUIMICA FUNCIONAL, INC.,  
et al.,

Defendants.

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CIVIL NO. 98-1646

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CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

ORDER

Prompted by the First Circuit Court of Appeals Order of January 10, 2000 in relation to plaintiff, Institute of Innovative Medicine, Inc.'s appeal from the Judgment entered on April 15, 1999 dismissing the case with prejudice for lack of prosecution, the Court has considered "Plaintiff's Motion Requesting Relief from Opinion and Order" filed on February 22, 1999.

Given that defendants have filed a motion on February 14, 2000 wherein they concede "albeit grudgingly" that this Court should vacate the Judgment entered on April 15, 1999 and reopen the case, the Court hereby grants plaintiff's motion of February 22, 1999 only as to setting aside the opinion and order entered dismissing the case with prejudice.

WHEREFORE, the Judgment entered on April 15, 1999 is hereby Vacated. Furthermore if the Court of Appeals for the First Circuit

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were to remand the case to this Court for further proceedings, then the Court will at such time immediately set a status conference.

This Order shall be transmitted forthwith to the Court of Appeals for the First Circuit.

**IT IS SO ORDERED.**

San Juan, Puerto Rico, February 15, 2000.

  
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JUAN M. PEREZ-GIMENEZ  
U.S. District Judge